

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

IN RE: PARAGARD PRODUCTS : MDL DOCKET NO. 2974  
LIABILITY LITIGATION :  
:

This document relates to: : 1:20-md-02974-LMM  
:  
:

SHELLEY THOMPSON :  
:  
:  
: Civil Action No.: \_\_\_\_\_

vs. :  
:  
:  
:

TEVA PHARMACEUTICALS :  
USA, INC., ET AL. :  
:  
\_\_\_\_\_

**SHORT FORM COMPLAINT**

Come(s) now the Plaintiff(s) named below, and for her/their Complaint against the Defendant(s) named below, incorporate(s) the Second Amended Master Personal Injury Complaint (Doc. No. 79), in MDL No. 2974 by reference. Plaintiff(s) further plead(s) as follows:

1. Name of Plaintiff placed with Paragard: Shelley Thompson  
\_\_\_\_\_

2. Name of Plaintiff's Spouse (if a party to the case): N/a  
\_\_\_\_\_

3. If case is brought in a representative capacity, Name of Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):  
**N/a**  

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4. State of Residence of each Plaintiff (including any Plaintiff in a representative capacity) at time of filing of Plaintiff's original complaint: **Maryland**  

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5. State of Residence of each Plaintiff at the time of Paragard placement:  
**Maryland**  

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6. State of Residence of each Plaintiff at the time of Paragard removal:  
**Maryland**  

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7. District Court and Division in which personal jurisdiction and venue would be proper:  
**United States District Court for the District of Maryland**  

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8. Defendants. (Check one or more of the following five (5) Defendants against whom Plaintiff's Complaint is made. The following five (5) Defendants are the only defendants against whom a Short Form Complaint may be filed. No other entity may be added as a defendant in a Short Form Complaint.):

A. Teva Pharmaceuticals USA, Inc.

B. Teva Women's Health, LLC

C. Teva Branded Pharmaceutical Products R&D, Inc.

D. The Cooper Companies, Inc.

E. CooperSurgical, Inc.

## 9. Basis of Jurisdiction

Diversity of Citizenship (28 U.S.C. § 1332(a))

Other (if Other, identify below):

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## 10.

Date(s) Plaintiff had Paragard placed (DD/MM/YYYY)	Placing Physician(s) or other Health Care Provider (include City and State)	Date Plaintiff's Paragard was Removed (DD/MM/YYYY)*  *If multiple removal(s) or attempted removal procedures, list date of each separately.	Removal Physician(s) or other Health Care Provider (include City and State)**  **If multiple removal(s) or attempted removal procedures, list information separately.
12/2010	Sandra Seff Baltimore, MD	10/30/2013	Sandra Seff Baltimore, MD
10/30/2013	Sandra Seff Baltimore, MD	02/01/2018	Baltimore, MD

11. Plaintiff alleges breakage (other than thread or string breakage) of her Paragard upon removal.

Yes  
 No

12. Brief statement of injury(ies) Plaintiff is claiming: As a direct and

proximate result of Defendants' conduct, Plaintiff suffered and continues to suffer significant bodily and mental injuries, including but not limited to

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pain and suffering, mental anguish, disfigurement, embarrassment, inconvenience, loss of earnings, loss of reproductive health, and past and potential future medical expenses.

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Plaintiff reserves her right to allege additional injuries and complications specific to her.

13. Product Identification:

a. Lot Number of Paragard placed in Plaintiff (if now known):

Unknown

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b. Did you obtain your Paragard from anyone other than the HealthCare Provider who placed your Paragard:

Yes  
 No

14. Counts in the Master Complaint brought by Plaintiff(s):

Count I – Strict Liability / Design Defect  
 Count II – Strict Liability / Failure to Warn  
 Count III – Strict Liability / Manufacturing Defect  
 Count IV – Negligence  
 Count V – Negligence / Design and Manufacturing Defect  
 Count VI – Negligence / Failure to Warn

- Count IX – Negligent Misrepresentation
- Count X – Breach of Express Warranty
- Count XI – Breach of Implied Warranty
- Count XII – Violation of Consumer Protection Laws
- Count XIII – Gross Negligence
- Count XIV – Unjust Enrichment
- Count XV – Punitive Damages
- Count XVI – Loss of Consortium
- Other Count(s) (Please state factual and legal basis for other claims not included in the Master Complaint below):

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15. “Tolling/Fraudulent Concealment” allegations:

a. Is Plaintiff alleging “Tolling/Fraudulent Concealment”?

- Yes
- No

b. If Plaintiff is alleging “tolling/fraudulent concealment” beyond the facts alleged in the Master Complaint, please state the facts and legal basis applicable to the Plaintiff in support of those allegations below:

On information and belief, prior to having the Paragard IUD implanted, Plaintiff's healthcare providers told her the Paragard IUD was safe, effective, reliable, and that it could easily be removed.

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Plaintiff did not realize that she might have a cause of action regarding the Paragard IUD.

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She contacted her lawyers after learning she might have a claim.

16. Count VII (Fraud & Deceit) and Count VIII (Fraud by Omission) allegations:

a. Is Plaintiff is bringing a claim under Count VII (Fraud & Deceit), Count VIII (Fraud by Omission), and/or any other claim for fraud or misrepresentation?



Yes



No

b. If Yes, the following information must be provided (in accordance with Federal Rule of Civil Procedure 8 and/or 9, and/or with pleading requirements applicable to Plaintiff's state law claims):

i. The alleged statement(s) of material fact that Plaintiff alleges was false: Paragard, a reversible form of birth control, was safe and effective.

Paragard was safe and/or safer than other reversible birth control products on the market.

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ii. Who allegedly made the statement: Defendants

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iii. To whom the statement was allegedly made: Plaintiff and her healthcare provider who implanted Paragard.

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iv. The date(s) on which the statement was allegedly made: Defendants' statements are within the Paragard label and marketing materials at all relevant times prior to implantation.

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17. If Plaintiff is bringing any claim for manufacturing defect and alleging facts beyond those contained in the Master Complaint, the following information must be provided:

a. What does Plaintiff allege is the manufacturing defect in her Paragard? N/a

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18. Plaintiff's demand for the relief sought if different than what is alleged in the Master Complaint: N/a

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19. Jury Demand:

Jury Trial is demanded as to all counts  
 Jury Trial is NOT demanded as to any count

s/ Nicole Berg

Attorney(s) for Plaintiff

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